

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

SHERRY BEERS, Administrator of
The ESTATE OF SEAN R. BEERS,
Deceased,

Plaintiff,

v.

NORTHUMBERLAND COUNTY,
BRUCE KOVACH, Individually and In
his Official Capacity, SAMUEL J.
SCHICCATANO, JOSEPH M.
KLEBON, KYMBERLEY L. BEST,
JAMES HOSKIN and MARY DOE,

Defendants.

No. 4:22-CV-01101

(Chief Judge Brann)

ORDER

MARCH 10, 2023

In accordance with the accompanying Memorandum Opinion, **IT IS
HEREBY ORDERED** that:

1. Defendants' motion to dismiss (Doc. 8) is **GRANTED**. Accordingly:
 - a. All claims against Defendant Bruce Kovach, in his official capacity, are **DISMISSED WITH PREJUDICE**.
 - b. All other claims (including those against Kovach in his individual capacity) contained in Counts I through IV are **DISMISSED WITHOUT PREJUDICE**. If Plaintiff Sherry

Beers wishes to plead over on any of Counts I through IV,
she must file an amended pleading by March 24, 2023.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge